

## **STATEMENT OF PURPOSE**

### **RS 23237**

The license law authorizes the Commission to deny, expire, suspend or terminate a license on the ground that the license application fee was paid using an NSF check. This legislation updates the law to add "any other type of insufficient payment" as a ground to expire, suspend or terminate a license.

## **FISCAL NOTE**

None to the General Fund. None to the agency's Special Real Estate Account. None to any state or local political subdivision.

### **Contact**

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**Statement of Purpose/Fiscal Note**

**Bill No.**



Sixty-third Legislature

LEGISLATURE OF THE STATE OF IDAHO



First Regular Session - 2015

IN THE \_\_\_\_\_

BILL NO. \_\_\_\_\_

BY \_\_\_\_\_

## AN ACT

RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2019, IDAHO CODE, TO PROVIDE AN ADDITIONAL BASIS UPON WHICH THE IDAHO REAL ESTATE COMMISSION MAY DENY ANY LICENSE APPLICATION AND TO MAKE A TECHNICAL CORRECTION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 54-2019, Idaho Code, be, and the same is hereby amended to read as follows:

54-2019. DENIAL OF LICENSE APPLICATIONS. (1) The commission may deny any license application, including an application for license renewal, upon the commission's determination of any of the following:

(a) The applicant does not possess all of the qualifications required for the license sought;

(b) The applicant employed fraud, deception, misrepresentation, misstatement or omission or any unlawful means in applying for a license or taking the exam;

(c) Within the ~~five-year~~ five (5) year period immediately preceding the application, the applicant committed any act for which a real estate license in Idaho may be revoked or suspended;

(d) Payment of any licensing fee by check that is returned by the banking institution due to insufficient funds, unless the reason for not paying on the check is the fault of the banking institution, or by any other type of insufficient payment; or

(e) There exist any other specific facts about the applicant that cause the commission to reasonably conclude that granting the applicant's request for Idaho licensure is not in the best interests of the citizens of the state of Idaho.

(2) Where any of the facts referenced above warranting denial of the application are not discovered or determined by the commission until after the license has been issued, such facts may be grounds for the inactivation, expiration, termination, suspension or revocation of the license.